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Diane Fischer,
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July 1, 2024

Honorable Kenneth M. Karas
United States District Judge
United State District Court
300 Quarropas Street
White Plains, NY 10601

Re: *United States v. Nicholas Tartaglione* 16-cr-832 (KMK)

Dear Judge Karas:

On June 14, 2024, we filed a letter-motion requesting Your Honor's recommendation to the BOP that Mr. Tartaglione remain at the MDC during the pendency of his appeal. We cited F.R.Crim.P. 38(b)(2), which provides that "[i]f the defendant is not released pending appeal, the court may recommend to the Attorney General that the defendant be confined near the place of the trial or appeal for a period reasonably necessary to permit the defendant to assist in preparing the appeal." See e.g., *United States v. Samuel Bankman-Fried*, No. 22-Cr00673 (LAK) (S.D.N.Y May 22, 2024) (issuing similar order); *United States v. Israel Garcia* 1:21-CR-00412 (JSR) (Rakoff, J.).

We request the Court's recommendation not only because our client wishes to be close by in order to participate in his appeal, but also because we need his assistance. In addition to the trial, the pre- and post-trial proceedings involved voluminous materials and we need a paralegal (if not several). We have a client who can fill that role in a uniquely effective way.

Finally, I cannot count the number of times clients have reported that their legal materials never arrived at their designated institutions or when they were moved. Some of Mr. Tartaglione's legal materials disappeared when he was moved from one floor to another. To forestall what seems like an inevitability, we ask Your Honor to recommend that he remain at the MDC. Because Mr. Tartaglione has heard rumblings that he will be moved this week, we request expedited consideration of this motion.

Thank you for your consideration.

Respectfully,
/S/
Susan C. Wolfe
Inga Parsons